

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

William Quin-Anthony Day

v.

Case No. 16-cv-482-PB

Robert Hazlewood, Warden, FCI Berlin

O R D E R

After due consideration of the objection filed, I herewith approve the Report and Recommendation of Magistrate Judge Andrea K. Johnstone dated February 15, 2018, and grant respondent's motion to dismiss (Doc. No. 8) and deny petitioner's motion for summary judgment (Doc. No. 9). As the petitioner has indicated in his objection that there is no longer an issue with respect to Claim 2, relating to the BOP's calculation of his sentencing credit, that claim is therefore withdrawn and the clerk is directed to enter judgment and close the case.

/s/ Paul Barbadoro
Paul J. Barbadoro
United States District Judge

Date: March 6, 2018

cc: William Quin-Anthony Day, pro se
Seth Aframe, AUSA